2013 DRAFTING REQUEST

Senat	e Amei	ndment	t (SA-SB50	4)				
Received: 2/13/20			13/2014			Received By:	gmalaise	
Wanted	i: 2	2/13/2014 1:00:00 PM				Same as LRB:		
For:	1	Nikiya Harris (608) 266-2500				By/Representing:	David Crowley	
May Contact:						Drafter:	gmalaise	
Subject: Children - TPR and adoption				adoption		Addl. Drafters:		
						Extra Copies:		
Submit via email: YES Requester's email: Sen.Harris@legis.wisconsin.gov Carbon copy (CC) to:								
Pre To	pic:							
No spe	cific pre	topic gi	ven					
Topic: Dispos		nearing w	hen parent is	presumed to l	nave waive	ed counsel		
Instru	ctions:							
SA 1 to	o SB 504	4, but de	lete lines six t	to eleven and i	restore line	es 8 to 12 of the bil	1	
Drafti	ng Histo	ory:						
Vers.	Drafted	<u>l</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
/?	gmalais 2/13/20		scalvin 2/13/2014			-		
/1				rschluet 2/13/2014	Annual transcript of the Annual Annua	mbarman 2/13/2014	mbarman 2/13/2014	
FE Ser	nt For:							

<END>

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Children - TPR and adoption

Addl. Drafters:

Extra Copies:

Submit via email:

YES

Requester's email:

Sen.Harris@legis.wisconsin.gov

Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Dispositional hearing when parent is presumed to have waived counsel

Instructions:

SA 1 to SB 504, but delete lines six to eleven and restore lines 8 to 12 of the bill

Drafting History:

Vers. Drafted

Reviewed

Proofed

Submitted

Jacketed

Required

/? gmalaise 11 5ac

11 sec 02/13/2014

02/12/2014

FE Sent For:

<END>



State of Misconsin





SENATE AMENDMENT TO SENATE BILL 504

February 12, 2014 - Offered by Senator HARRIS.

12: after that line insert:

At the locations indicated, amend the bill as follows:

1. Page 3, line 7: after "excuse" insert "If the court finds that a parent's conduct in failing to appear in person as oldered was egregious and without clear and justifiable excuse, the court may not hold a dispositional hearing on the contested adoption or involuntary termination of parental rights until at least 10 days have elapsed since the date of that finding. At the conclusion of the dispositional hearing, the court may discharge counsel based on the presumption described in this subdivision and grant a default judgment approving the contested adoption or involuntary termination of parental rights. If a default judgment is granted, the parent may move the court to vacate or reconsider the default judgment as provided in s. 806.07 or appeal the default judgment under s. 808.03 (1

2. Page 3, line 8: delete lines 8 to 12 and substitute

"Section 5m. 48.424 (4) (intro.) of the statutes is amended to read:

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48.424 (4) (intro.) If grounds for the termination of parental rights are found by the court or jury, the court shall find the parent unfit. A finding of unfitness shall not preclude a dismissal of a petition under s. 48.427 (2). The Except as provided in s. 48.23 (2) (b) 3., the court shall then proceed immediately to hear evidence and motions related to the dispositions enumerated in s. 48.427. Except as provided in s. 48.42 (2g) (ag), the court may delay making the disposition and set a date for a dispositional hearing no later than 45 days after the fact-finding hearing if any of the following apply:".

(END)